United Nations S/2009/259

Security Council

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21 May 2009

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Letter dated 20 May 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

With reference to the high-level consultative meeting on Darfur held in Khartoum on 17 and 18 May 2009, which comprised the Government of the Republic of the Sudan, the African Union, the League of Arab States and the Organization of the Islamic Conference, please find attached the press statement issued at the end of the meeting (see annex).

I would be grateful if the present letter and its annex were issued as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

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Annex to the letter dated 20 May 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

[Original: Arabic and English]

Press statement

The consultative meeting between the Government of the Sudan, the African Union, the League of Arab States and the Organization of the Islamic Conference

Khartoum 17-18/5/2009

At the invitation of the Government of the Sudan and in line with their commitment to coordinate efforts, H.E. Amre Mousa, the Secretary-General of the League of Arab States (LAS), H.E. Ekmeleddin Ihsanoglu, Secretary-General of the Organization of the Islamic Conference (OIC) and H.E. Jean Ping, Chairperson of the African Union Commission (AU), held consultative meetings with the Sudanese leadership in Khartoum during the period 17 and 18 May 2009 and exchanged views on the political developments, the humanitarian and security situations in Darfur, and the negative impact of the International Criminal Court (ICC) decision on peace agreements and stability in the Sudan in general and Darfur in particular.

The leaders of the three organizations were briefed on the positive political developments in the Sudan to realize a peaceful political transformation and power-sharing through dialogue and democratic elections scheduled to be held in February 2010. They were also briefed on the ongoing Doha peace talks and the AU-LAS joint efforts in supporting the talks to put an end to the conflict and realize peace and stability in Darfur. They called upon the rebel movements, once more, to join the peace process and requested the international community to put pressure on them to join the Darfur peace negotiations within the framework of the LAS-AU initiative under the patronage of Qatar State.

The leaders of the three organizations were briefed on the general security situation in Darfur and took note of UNAMID reports, which indicate significant improvement of the security situation and stability in the region. They were also briefed on the Government's support to UNAMID to perform its obligations as mandated and called upon the international community to acknowledge and enhance the Government's positive efforts.

During their field visit to Darfur, they noted the Government's endeavour to improve the humanitarian situation in the region as well as its concerted efforts with the United Nations and the NGOs in that regard. The three parties agreed to continue following up the developments of the humanitarian situation in Darfur in coordination with the Government and pledged to contribute to providing the needed humanitarian assistance in a sustainable way.

The three leaders discussed the implications of the ICC decision and reaffirmed the position, in principle, of their organizations in this regard, as it undermines the efforts to solve the problem of Darfur and jeopardizes peace in the Sudan and the whole region, as well as sending negative signals with regard to the

Darfur peace negotiations. Thus, based on its announced statements and decisions, the three organizations expressed, once again, their common position in supporting the Sudan in order to maintain its sovereignty, security, unity and the immunity of its leadership.

The leaders of the three organizations urged the Government of the Sudan to continue its commitment to carry out the necessary investigations into the crimes committed in Darfur and expressed their confidence in the ability and integrity of the Sudanese judiciary to realize accountability and address impunity in the Sudan.

They called upon the United Nations Security Council to heed requests made, respectively, by the African Union, the League of Arab States and the Organization of the Islamic Conference regarding the ICC decision on the President of the Republic of the Sudan. They agreed to coordinate and combine efforts and intensify contacts with other international and regional groupings to realize that objective.

The three leaders called upon Chad and the Sudan to respect each other's sovereignty, good neighbourliness and common interests, and to fully adhere to agreements signed between the two countries, particularly the Doha Agreement signed on the 3rd of May 2009.

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Letter dated 20 May 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Ethiopia to the United Nations addressed to the President of the Security Council

I have the honour, in the capacity of Ethiopia as the current Chairperson of the Intergovernmental Authority on Development (IGAD), to request you to bring the enclosed communiqué of the thirty-third extraordinary session of the IGAD Council of Ministers on the security and political situation in Somalia, issued on 20 May 2009 (see annex), to the attention of the members of the Council.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Negash **Kebret**
Ambassador
Chargé d'affaires a.i.

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Annex to the letter dated 20 May 2009 from the Chargé d'affaires a.i. of the Permanent Mission of Ethiopia to the United Nations addressed to the President of the Security Council

Communiqué of the thirty-third extraordinary session of the IGAD Council of Ministers on the security and political situation in Somalia, Addis Ababa, 20 May 2009

The thirty-third extraordinary session of the IGAD Council of Ministers was convened at Addis Ababa, Ethiopia, on 20 May 2009 to discuss the developments in Somalia since the thirty-second extraordinary session held on 27 January 2009 and to chart the way forward. The Council was chaired by H.E. Seyoum Mesfin, Minister for Foreign Affairs of the Federal Democratic Republic of Ethiopia and current Chairperson of the IGAD Council of Ministers. The Council received briefs from the Somali delegation and the IGAD Facilitator for Somalia Peace and Reconciliation. The meeting was attended by H.E. Mahamoud Ali Youssouf, Minister for Foreign Affairs of the Republic of Djibouti; H.E. Moses Wetangula, Minister for Foreign Affairs of the Republic of Kenya; H.E. Sherif Hassan, Deputy Prime Minister and Minister of Finance of the Transitional Federal Government of Somalia; H.E. Elsamani Elwasila, State Minister for Foreign Affairs of the Republic of Sudan; H.E. Sam Kutesa, Minister for Foreign Affairs of the Republic of Uganda; H.E. Mahboub M. Maalim, Executive Secretary of IGAD; and H.E. Kipruto arap Kirwa, IGAD Facilitator for Somalia Peace and Reconciliation.

The meeting was also attended by H.E. Jean Ping, Chairperson of the African Union Commission; H.E. Ahmedou Ould Abdallah, the Special Representative of the Secretary-General of the United Nations to Somalia; H.E. Raffaele de Lutio, Ambassador of the Republic of Italy and Chair of the IGAD Partners Forum; and H.E. Ahmed Salah-Eldin Noah, Ambassador and Permanent Representative of the League of Arab States to the Federal Democratic Republic of Ethiopia, the African Union and the Economic Commission for Africa.

After deliberating at length on the prevailing political and security situation in Somalia, the Council:

1. **Notes** with grave concern the current aggression in Somalia that has resulted in hundreds of deaths and the displacement of thousands of people, which has partly been exacerbated by an influx of foreign armed aggressors into Somalia.

2. **Recognizes** the fact that the assailants have used the porous borders of Somalia especially the airports at KM 50 and KM 90 to receive supplies of arms and ammunition, and personnel from their foreign backers, in this regard **calls upon** the United Nations Security Council to impose a no-fly zone, except for humanitarian purposes authorized by the Government, on the airports of Kismayo, Baidoa, KM 50, Balidoogle, Waajid, Hudur, all airports in Gedo Region, Isaley and Johwar.

3. **Calls upon** the Security Council to impose a blockade on seaports particularly Kismayo and Merka to prevent the further in-flow of arms and foreign fighters, in this regard **urges** the Security Council to reach

out to the international naval forces present in the region to enforce the blockade.

4. **Condemns** the acts of destructive forces, in particular Al Shabaab and Hizbul Islam (Islamic Party), and other such groups and warlords who continue to wage destructive wars in Somalia.

5. **Condemns also** in the strongest terms possible all the individuals, organizations and countries, in particular the Government of Eritrea and its financiers, who continue to instigate, recruit, train, fund and supply the criminal elements in and/or to Somalia.

6. **Condemns further** acts of the Government of Eritrea calling for the overthrow of the Transitional Federal Government and attacks on the African Union Mission in the Sudan which are acts of aggression against a sovereign country and legitimate government and forces, and **calls upon** the Security Council to impose sanctions on the Government of Eritrea without any further delay.

7. **Reaffirms** its commitment to ensure support through all necessary means for the Transitional Federal Government and the formation of its institutions and **reiterates** the fact that it is only rebuilding through recruiting, training and equipping of the Somali security forces that will ensure the long-term stability of Somalia, and in this connection affirms the readiness of the member States to provide all the necessary assistance, which will be an added impetus against the war on piracy.

8. **Welcomes** the decision of the Peace and Security Council of the African Union as contained in the communiqué issued on 11 March 2009 to extend the mandate of the African Union Mission in Somalia (AMISOM) for a further three months beginning on 17 March 2009, and **calls** on the Peace and Security Council of the African Union to renew the mandate of AMISOM at its expiry and to strengthen the said mandate and rules of engagement of the mission.

9. **Welcomes further** the establishment of a United Nations Trust Fund to provide support to AMISOM as envisaged by Security Council resolution 1863 (2009) of 16 January 2009, and **requests** its immediate implementation.

10. **Expresses appreciation** to all the countries and organizations that made pledges in cash and in kind in support of the Somalia security institutions and AMISOM at the International Pledging Conference held in Brussels on 22 and 23 April 2009, and **calls** for the speedy disbursement of pledges and the coordination of efforts and resources in the rebuilding of the Somalia security institutions.

11. **Notes** that the Security Council arms embargo does not apply to the Transitional Federal Government.

12. **Expresses appreciation** to the troop-contributing countries to AMISOM, namely Uganda and Burundi, for the sacrifices they continue to make to advance the cause of peace and stability in Somalia, **welcomes** the announcement by the Government of Sierra Leone that it will be contributing a battalion of troops to AMISOM as well as pledges made

by Nigeria and Ghana and other African Union member States towards the same endeavour, and **urges** all the other countries that have pledged to contribute troops towards AMISOM to deploy their troops without further delay.

13. **Further expresses appreciation** to all the countries that have pledged to help rebuild Somalia's security institutions in particular the Governments of IGAD member States and others for providing training to the Somali security forces.

14. **Calls** for an urgent special appeal to the international community for the provision of humanitarian assistance to the suffering Somali people, and **urges** the countries neighbouring Somalia to provide safe corridors so that the humanitarian assistance can be delivered to those in need.

15. **Notes with concern** the United Nations Secretary-General's report on Somalia (S/2009/210) of 16 April 2009 to the Security Council, in particular paragraphs 75-80 (Engagement with no international security presence (option D)), and **reiterates** that the Security Council cannot abrogate its obligation to deploy a United Nations peacekeeping force in accordance with the Charter of the United Nations and the deployment plans already drawn.

16. **Stresses** the need for close cooperation and effective partnership between UNPOS, IGAD, the African Union and the League of Arab States in dealing with the Somalia issues, and reiterates its call for coordinated efforts between the three institutions.

17. **Notes further** with concern the lack of payment of stipends to the Somalia Police Force and high level of unemployment among Somalia youth, and **calls** upon the United Nations Development Programme to punctually effect payments to the Somalia Police Force without any further delay as well as setting up job creation programmes for the Somalia youth.

18. **Notes** the proposed action plan for intervention in Somalia by the IGAD Facilitator for Somalia Peace and Reconciliation entitled: "Proposal on Re-establishing Effective Government Institutions in Somalia", and **directs** the Secretariat to review and resubmit it as an agenda item of the thirty-third ordinary Council for further discussion.

19. **Commends** the international community and regional efforts against piracy in and around the waters of Somalia, **takes note** of the report by the IGAD Capacity-building Programme against Terrorism to fight piracy along the territorial waters of Somalia and **directs** the Secretariat to submit it as an agenda item to the thirty-third ordinary Council for further discussion.

20. **Reaffirms** its continued support to the Transitional Federal Government and its institutions and further undertakes **not to** host armed subversive elements against member States.

21. **Welcomes** the relocation of the Transitional Federal Institutions to Mogadishu and their commencing of the task of providing leadership for the country.

22. **Recognizes** with appreciation the efforts of those Somali elders, business community, civil society, Somalia diaspora and religious leaders to end the conflicts in Somalia, and **urges** the Transitional Federal Government to harness these efforts.

23. **Notes** with appreciation the presence of the African Union through AMISOM and the League of Arab States in Somalia, and **calls upon** IGAD and the United Nations to establish their presence and operation in Somalia.

24. **Reiterates** its earlier decision to take the necessary action to impose targeted sanctions including travel bans, freezing of assets among others, against all those in and outside Somalia who have become obstacles to the achievement of peace in Somalia, and **calls upon** the African Union and the Security Council to do the same.

25. **Thanks** the Government and people of Ethiopia for hosting the Council meeting.

26. **Decides** to remain seized of the matter.

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Letter dated 20 May 2009 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1867 (2009) of 26 February 2009 on the situation in Timor-Leste. By that resolution, the Security Council underscored that the concept of operations and rules of engagement for the military liaison group and the police component of the United Nations Integrated Mission in Timor-Leste (UNMIT) need to be regularly updated as necessary and be fully in line with the provisions of the resolution. In the same resolution, the Council also requested me to report to it and to troop- and police-contributing countries within 90 days of the adoption of the resolution.

As the Security Council did not make any changes to the roles and tasks of the military liaison group, no adjustments were required to the military concept of operations. The concept of operations of the police component, however, has been carefully reviewed by the Department of Peacekeeping Operations and UNMIT to meet the requirements of the mandate of the Mission, as outlined in Security Council resolution 1867 (2009).

The resolution supports the gradual resumption of policing responsibility by the Policia Nacional de Timor-Leste (PNTL) through a phased approach, while emphasizing that PNTL must meet the criteria mutually agreed by the Government of Timor-Leste and UNMIT. To ensure that the process is jointly owned and implemented, Prime Minister Kay Rala Xanana Gusmão and my Special Representative concluded an agreement on 13 May 2009 that provides a basic framework for the resumption process and the respective roles and responsibilities of PNTL and UNMIT police, in accordance with the agreement concluded on 1 December 2006 entitled "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police and the Ministry of the Interior" supplementing the agreement between the United Nations and Timor-Leste on the status of UNMIT and further to paragraph 5 of Security Council resolution 1867 (2009) and paragraph 21 of my report on UNMIT dated 9 February 2009 (S/2009/72).

In line with this agreement, a revised concept of operations for the police component of UNMIT is being prepared and is close to being finalized. It provides clear strategic objectives as well as the necessary operational guidance for the smooth implementation of the gradual resumption of policing responsibility by PNTL. It also clearly sets out the gradual change in the roles and responsibilities of

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PNTL and the UNMIT police whereby the latter will assume an increasing role in monitoring, advising and providing operational support to PNTL.

The rules of engagement for the police component did not require any revisions at this time, as the UNMIT police will continue to have significant responsibilities for interim law enforcement until PNTL has been fully reconstituted.

In close consultation with UNMIT, the Department of Peacekeeping Operations will continue to review, on a regular basis, the concept of operations and the rules of engagement to ensure that they adequately reflect the evolving situation as the resumption process progresses in order to enable UNMIT to carry out its mandate in the most effective manner. The Department will keep Security Council members, as well as troop- and police-contributing countries, informed.

(*Signed*) **Ban** Ki-moon

United Nations S/2009/262

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Letter dated 21 May 2009 from the Secretary-General addressed to the President of the Security Council

I should like to inform the members of the Council that the activities undertaken to fulfil the mandate outlined in paragraph 14 of resolution 1284 (1999) and requested in a letter dated 26 March 2008 from the President of the Security Council to the Secretary-General (S/2008/206) have led to expenditures amounting to $183,400 from 25 April 2008 to 24 April 2009. The funds were provided through transfers from the Iraq escrow account.

I have taken note of the Security Council's statement to the press of 16 April 2009, on Iraq-Kuwait, in which the Council noted the agreement of its members to finance the continuation of the activities of the High-level Coordinator for a period of six months, with a possibility of further extension.

Given the Security Council's and my call on all parties to translate political statements of goodwill into concrete actions to speed up progress during the coming months to resolve outstanding issues, the period ahead will require further intensification of the High-level Coordinator's activities. To that end it would be necessary to allocate resources sufficient to finance the activities of the High-level Coordinator and his support staff until 31 October 2009 in the amount of $202,400. It is suggested that these funds be earmarked from the operating reserves and fund balance of the 2.2 per cent part of the escrow account intended for administration and operational costs.

Should the Council agree with this proposal, the funds will be transferred within the escrow account and made available to the Department of Political Affairs, which backstops the activities of the High-level Coordinator.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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Security Council

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Letter dated 22 May 2009 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 21 May 2009 (S/2009/262), concerning the activities of the High-level Coordinator undertaken to fulfil the mandate outlined in paragraph 14 of resolution 1284 (1999), has been brought to the attention of the members of the Security Council.

The members of the Security Council take note of the information contained in your letter and the proposal made therein.

(*Signed*) Vitaly I. **Churkin**
President of the Security Council

09-34726 (E) 220509

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